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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/816,777
	Filing Date	April 2, 2004
	First Named Inventor	Vaughan
	Art Unit	3732
	Examiner Name	Unknown
	Attorney Docket Number	85689.17
Total Number of Pages in This Submission		5

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): SB08A-B (2 pgs), Postcard 2 References
<input type="checkbox"/> Remarks		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Huntor & Williams LLP	
Signature		
Printed name	Thomas E. Anderson	
Date	8/18/05	Reg. No. 37,063

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Patent Application Serial No. 10/816,777  
Attorney Docket No.: 85689.17

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Paul A. Vaughan

:

: Group Art Unit: 3732

Serial No.: 10/816,777

:

: Examiner: Unknown

Filed: April 2, 2004

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For: Vertebral Stabilization Assembly and Method :

Mail Stop Amendment  
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In accordance with the duty under 37 C.F.R. § 1.56 of each individual associated with the filing and prosecution of the above-identified patent application (hereinafter, "associated individuals") to disclose all information known to that individual to be material to patentability, Applicant(s) hereby submits attached Form SB08 listing cited references. This submission is made in accordance with 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609.

The cited references, while believed to be of some relevance, are not necessarily considered to teach or suggest any aspect of the invention described and claimed in the above-identified patent application. Applicant(s) hereby expressly reserves the right to swear behind the effective dates of any of the cited references. Applicant(s) further reserves the right to question the relevance, materiality, and/or prior art status of any of the cited references in whole, in part, or in combination, subsequent to the filing of this information disclosure statement. This information disclosure statement is also not to be construed as a representation that a search has, or has not, been conducted or that no better art exists. Rather, this information disclosure statement discloses only the best references of which the associated individuals are aware.

The Examiner is respectfully requested to consider each of the cited references, to indicate such consideration by initialing in the space provided next to each cited reference on the

enclosed Form SB08, to sign the initialed Form SB08, and to return a copy of the same with the next communication to the Applicant(s).

In accordance with 37 C.F.R. § 1.98(a), only copies of the cited references which are not U.S. patents or U.S. patent application publications are being submitted herewith. However, copies of the cited references which are U.S. patents or U.S. patent application publications will be submitted at the request of the Examiner. In considering these cited references, it may be noted by the Examiner that certain of the references may contain markings, underlinings, and/or other notations. These markings, underlinings, and/or other notations are not to be construed as drawing the Examiner's attention either to selected parts or away from other parts of these cited references. Any such markings were either present on the copies of these cited references when obtained by the associated individuals, or were made thereon during the study of these cited references by the associated individuals.

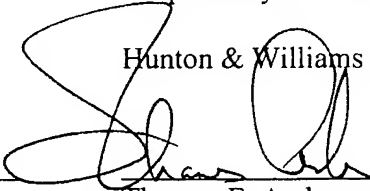
In accordance with 37 C.F.R. § 1.97(b), this information disclosure statement is being filed before the mailing date of a first Office Action on the merits for the above-identified patent application; or (iv) before the mailing date of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Accordingly, no statement or fee is required.

Please charge any shortage in fees due in connection with the filing of this communication and/or credit any excess fees to Deposit Account No. 50-0206, reference 85689.17.

Respectfully submitted,

Hunton & Williams LLP

Date: 8/18/05

  
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Substitute for form 1449/PTO

*(Use as many sheets as necessary)*

Sheet	1	of	2
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**Complete if Known**

Application Number	10/816,777
Filing Date	April 2, 2004
First Named Inventor	Vaughan
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	85689.17

## U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> ~ Number <sup>4</sup> ~ Kind Code <sup>5</sup> (if known)				
	2	WO 03/028538 A2-A3	04/10/2003	Vaughan Med. Tech. Inc.		
	3	PCT/US2005/11742	04/04/2005	Vaughan Med. Tech. Inc.		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

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**Complete if Known**

Application Number	10/816,777
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First Named Inventor	Vaughan
Art Unit	3732
Examiner Name	Unknown
Attorney Docket Number	85689.17

Sheet 2

of

2

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	4	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method, US Serial No. 11/146,075, 6/7/2005.	
	5	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method, US Serial No. 11/086,834, 3/22/2005.	
	6	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method with Rigid & Semi-Rigid Members, US Serial No. 11/185,793, 7/21/2005.	

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